

Message Text

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FM AMEMBASSY COTONOU

TO SECSTATE WASHDC PRIORITY 9780

INFO AMEMBASSY ABIDJAN

AMEMBASSY CONAKRY

AEMBASSY LAGOS 3099

AMEMBASSY LOME

C O N F I D E N T I A L SECTION 1 OF 2 COTONOU 1021

E.O. 11652: GDS

TAGS: EAID, SHUM, DM

SUBJ: HUMAN RIGHTS IN BENIN AS ISSUE IN INTERNATIONAL FINANCIAL
INSTITUTIONS

REF : (A) STATE 131197, (B) COTONOU 933 (NOTAL, (C) COTONOU
226 (NOTAL)

1. FOLLOWING IS COUNTRY TEAM'S CURRENT ASSESSMENT OF HUMAN RIGHTS IN
BENIN: ALTHOUGH THE KEREKOU GOVERNMENT IN PRINCIPLE RECOGNIZES
THE NEED TO PROTECT HUMAN RIGHTS, IN PRACTICE IT HAS FREQUENTLY
VIOLATED OR ABROGATED THEM IN THE NAME OF DEFENDING THE REVOLU-
TION. DURING THE FOUR-AND-A-HALF YEARS THAT THE REVOLUTIONARY
MILITARY GOVERNMENT HAS HELD POWER THERE HAVE BEEN FOUR ACTUAL
OR ALLEGED COUP D'ETAT ATTEMPTS, EACH OF WHICH HAS BEEN FOLLOWED
BY A WAVE OF ARBITRARY ARRESTS, IMPRISONMENT OF SUSPECTED ACCOM-
PLICES OR PLOTTERS, VOLUMES OF RHETORICAL THREATS AGAINST WOULD-
BE ENEMIES OF THE STATE, AND AN ATMOSPHERE OF ANXIOUS UNCERTAINTY.
BETWEEN EPISODES THERE HAVE BEEN PERIODS OF RELATIVE CAML. WHEN
LIFE PROCEEDS FAIRLY NORMALLY WITHOUT ANY OVERT INTIMIDATION BY
THE AUTHORITIES.

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2. AS PART OF ITS PROGRAM TO IMPOSE A MARXIST-LENINIST SYSTEM
OF GOVERNMENT IN BENIN, THE KEREKOU REGIME HAS EFFECTIVELY
SUPPRESSED ANY INDEPENDENT POLITICAL OR LABOR ACTIVITY, DEMON-
STRATIONS, FREE EXPRESSION, AND ANY OTHER ACTION IMPLYING
CRITICISM OF THE GOVERNMENT. THE CONSTITUTION WAS SUSPENDED
AND RULE BY DECREE INSTITUTED SHORTLY AFTER KEREKOU'S SEIZURE
OF POWER IN 1972. THE GOVERNMENT HAS BEEN ACCOUNTABLE TO THE POPULAR

REVOLUTIONARY PARTY, WHICH IS TO SAY TO ITSELF. ON MAY 22, 1977, THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BENIN (GPRB) ANNOUNCED AND PUBLISHED A DRAFT FUNDAMENTAL LAW ESTABLISHING A POPULAR ASSEMBLY, AND FORMING THE BASIS OF THE COUNTRY'S NEW CONSTITUTION (REF B LISTS KEY PORTIONS). THE DRAFT LAW APPEARS TO MAKE PROVISION FOR MANY OF THE USUAL HUMAN RIGHTS, INCLUDING FREEDOM OF SPEECH, THOUGHT, ASSEMBLY, RELIGION AND PUBLIC TRIALS. THE FUNDAMENTAL LAW ALSO PERMITS PRIVATE OWNERSHIP OF LAND AND PROPERTY, ESTABLISHES THE RIGHT TO WORK, AND PROMOTES HEALTHY WORKING CONDITIONS, IT ALSO, HOWEVER, CONTAINS AN ESCAPE CLAUSE PERMITTING THE GPRB TO IMPLEMENT ONLY THOSE PORTIONS IT "CONSIDERS APPLICABLE" UNTIL SUCH TIME AS CONSTITUTION TAKES EFFECT AND THE ASSEMBLY IS SEATED. THUS, WHILE EXPRESSING ADHERENCE TO NOBLE PRINCIPLES, THE GPRB RESERVES THE RIGHT TO ACT IN ANY FASHION IT SEES FIT. THE DRAFT CONSTITUTION IS NOW BEING TAKEN TO TOWN MEETINGS FOR DISCUSSION AND REVISION.

3. THE PRINCIPAL DIFFICULTY IN ESTABLISHING BENIN'S HUMAN RIGHTS RECORD IS OBTAINING HARD INFORMATION ON VIOLATIONS. ASIDE FROM THREE FORMER PRESIDENTS (MAGAMBA, APITHY, AND AHOMADEGBE) AND CAPTAIN JANVIER ASSOGBA (LEADER OF KPMHAYHLEGE COUP D'ETAT ATTZQYAUWDN 1975), WE DO NOT KNOW HOW MANY PERMANENT POLITICAL PRISONERS ARE BEING HELD. FOLLOWING THE JANUARY 1977 MERCENARY ATTACK A STATE OF EMERGENCY WAS DECLARED AND REMAINS IN EFFECT. ENORMOUS NUMBERS OF BENINESE AND FOREIGNERS WERE TAKEN INTO CUSTODY FOR QUESTIONING, BUT NEARLY ALL OF THESE WERE RELEASED AFTER VARYING PERIODS OF DETENTION. THERE MAY BE A FEW DOZEN INDIVIDUALS HELD ARBITRARILY. IT SHOULD BE NOTED THAT EVEN

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UNDER NORMAL CIRCUMSTANCES, ONCE A PERSON IS ARRESTED FOR ANY REASON, UNLESS HE IS WELL-KNOWN, HE IS LIABLE TO BE FORGOTTEN BECAUSE OF THE DISORGANIZED NATURE OF THE SYSTEM. WE KNOW OF ONE FRENCH BUSINESSMAN WHO HAS BEEN IN PRISON FOR FOUR MONTHS ON UNSPECIFIED CHARGES CONNECTED WITH THE MERCENARY ATTACK. (IT IS SAID A JEALOUS BENINESE SUBORDINATE DENOUNCED HIM IN A LETTER AS A COLLABORATOR.) ANOTHER FRENCH RESIDENT OF 20 YEARS STANDING WAS RUDELY EXPELLED AND HIS PROPERTY SEIZED AFTER THE GOVERNMENT ACCUSED HIM OF HARBORING DISSIDENTS (WHICH SOME EUROPEANS BELIEVE HE MAY WELL HAVE DONE). THE FRENCH AMBASSADOR'S MAJOR-DOMO WAS UNDER ARREST ON UNSPECIFIED CHARGES FOR SEVERAL MONTHS BEFORE BEING RELEASED. EMILE PARAISO, DIRECTOR OF BENINESE GOVERNMENT ELECTRICAL COMPANY WAS SUMMARILY ARRESTED ONE NIGHT RECENTLY WHEN THE POWER FAILED, BUT RELEASED NEXT DAY. PRESIDENT KEREKOU HAD BEEN ATTENDING A BOXING MATCH WHEN LIGHTS WENT OUT AND, THINKING IT MIGHT BE ANOTHER MERCENARY ATTACK, REPORTEDLY DOVE UNDER HIS CHAIR. PARAISO'S ARREST WAS SAID TO HAVE BEEN IN RETALIATION FOR CAUSING KEREKOU EMBARRASSMENT.

4. ONE POSSIBLE REASON FOR THE LACK OF INFORMATION ON POLITICAL PRISONERS IS THAT DISSIDENTS EITHER FLEE OR ARE FORCED TO LEAVE THE COUNTRY. SINCE 1972 THERE HAS BEEN A STEADY EXODUS OF EDUCATED BENINESE, SKILLED WORKERS AND YOUTH. STUDENTS HAVE FLED IN LARGE NUMBERS TO TOGO AND NIGERIA. IN TERMS OF OPPOSITION, THIS OUTFLOW CONSTITUTES A "SAFETY VALVE" FOR THE REGIME INTERNALLY, BUT THESE EXILES HAVE ALSO BEEN A MAJOR SOURCE OF ANTI-GOVERNMENT LOBBYING ABROAD.

5. WELL BEFORE THE MERCENARY ATTACK, FOREIGN TOURISTS HAD OFTEN BEEN ARRESTED ON SUSPICION OF SUBVERSIVE ACTIVITIES AND HAD BEEN HELD INCOMMUNICADO (IN THE SENSE THAT THEY WERE NOT ALLOWED TO CONTACT THEIR EMBASSIES). USUALLY WE HAVE LEARNED OF SUCH ARRESTS THROUGH PRIVATE MEANS (OTHER EMBASSIES, PRISON VISITORS, ETC.). THE GPRB NEVER NOTIFIES US. IN ONE CASE, THOMAS NAKADA, AN AMERICAN CITIZEN WHO HAD COMMITTED NO OFFENSE, SPENT A MONTH

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IN JAIL, WAS EXPELLED TO TOGO, WHICH DID NOT ACCEPT HIM AS HE LACKED A VISA, THEN TAKEN AND EXPELLED INTO NIGERIA. OTHER EMBASSIES HAVE HAD SIMILAR EXPERIENCES WITH THEIR NATIONALS.

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ACTION AF-10

INFO OCT-01 ISO-00 DHA-02 SS-15 SP-02 INR-07 L-03
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C O N F I D E N T I A L SECTION 2 OF 2 COTONOU 1021

WE HAVE FREQUENTLY PROTESTED TO THE GOVERNMENT, BUT WHILE THE

FOREIGN MINISTRY USUALLY DOES ITS BEST TO HELP, IT HAS LITTLE INFLUENCE IN INTERIOR MINISTRY.

6. TO THE BEST OF OUR KNOWLEDGE, GPRB DOES NOT SYSTEMATICALLY TORTURE PRISONERS, ALTHOUGH THERE HAVE BEEN INDIVIDUAL INCIDENTS. UNTIL THE MERCENARY ATTACK, THREE FORMER PRESIDENTS WERE LIVING IN RELATIVE COMFORT UNDER LOOSE HOUSE ARREST NEAR PORTO-NOVO. (THE FOURTH PRESIDENT STILL IN BENIN IS THE EMBASSY'S LANDLORD, GENERAL SOGLO, WHO LEADS A QUIET VERY PROSPEROUS LIFE IN COTONOU.) KEREKOU REPORTEDLY OFFERED THE THREE PRESIDENTS A PARDON IN DECEMBER 1976, BUT THEY ALLEGEDLY PREFERRED TO REMAIN IN SITU IN ORDER TO AVOID BEING ACCUSED OF COMPLICITY SHOULD TROUBLE BREAK OUT. CAPTAIN ASSOGBA, WHO IS TECHNICALLY UNDER SENTENCE OF DEATH, WAS SEEN RUNNING THE COTONOU PRISON SNACK BAR IN THE FALL OF 1976. THE PRESENT CONDITION OF THESE INDIVIDUALS IS UNKNOWN. IMMEDIATELY AFTER THE JANUARY RAID THE PRESIDENTS WERE MOVED, RATHER ROUGHLY, IT IS SAID, TO A MILITARY CAMP AT DAN, WHERE THEY ARE STILL HELD.

7. WE HAVE HAD NO RELIABLE REPORTS OF WIDESPREAD MISTREATMENT OF THOSE ARRESTED FOLLOWING THE MERCENARY ATTACK. MAJOR COM-
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PLAINT WAS OVERCROWDING AND NEGLECT OF AUTHORITIES TO PROVIDE ADEQUATE FOOD. IN SEPARATE INCIDENTS IMMEDIATELY AFTER THE ATTACK, SOLDIERS REPORTEDLY FORCED CATHOLIC NUNS TO STRIP, BUT THEY WERE NOT OTHERWISE ABUSED. SIMILARLY, A GROUP OF FOREIGNERS IN CAMP GUEZO WERE FORCED BY AN ARMED SOLDIER TO STRIP AND LINE UP AGAINST A WALL. ONE INDIVIDUAL WHO REFUSED WAS BADLY BEATEN. WHEN AN OFFICER CAME ON THE SCENE, HOWEVER, THE SOLDIER WAS REPRIMANDED AND THE PRISONERS GIVEN THEIR UNDERWEAR. WE HAVE NO OTHER SPECIFIC INFORMATION. THERE WERE STORIES IN 1976 OF PRISONERS BEING FORCED TO EAT THEIR OWN EXCREMENT, LICK OFFICERS' BOOTS, AND HAVING THEIR HEADS SHAVED WITH BROKEN GLASS, BUT WE HAVE NO WAY OF CONFIRMING THEIR AUTHENTICITY. WE MUST ASSUME THAT THERE HAVE BEEN BEATINGS OF PRISONERS AT THE HANDS OF THE POLICE OR SOLDIERS EXTRACTING INFORMATION, BUT WE CANNOT DOCUMENT THEM. WHILE THERE HAVE BEEN SEVERAL DEATH SENTENCES PRONOUNCED ON INDIVIDUALS ACCUSED OF COMPLICITY IN PREVIOUS PLOTS, NONE HAS BEEN CARRIED OUT NOR IS THERE ANY INDICATION THAT THE GOVERNMENT INTENDS TO DO SO. WITH THE EXCEPTION OF THE EXECUTION OF SIX THIEVES CONVICTED OF KILLING A NIGHT WATCHMAN IN 1974, THE ONLY GOVERNMENT-ORDERED MURDER HAS BEEN THAT OF INTERIOR MINISTER AIKPE IN 1975. AIKPE ALLEGEDLY WAS SHOT WHILE IN BED WITH MRS KEREKOU, BUT IT IS FAIRLY CLEAR THAT HE WAS MURDERED ON KEREKOU'S AND AZONHIHO'S ORDERS IN A POWER STRUGGLE WITHIN THE RULING CLIQUE. AIKPE'S MURDER ALSO SPARKED CIVIL DISTURBANCES WHICH RESULTED IN UP TO 200 CIVILIAN DEATHS WHEN SOLDIERS, SOME OF THEM GUINEANS, FIRED ON DEMONSTRATORS.

8. IN ADDITION TO ARBITRARY ARRESTS AND STIFLING OF POLITICAL OPPOSITION, GPRB HAS ON OCCASION SEIZED PRIVATE PROPERTY. ALL BENINESE ACCUSED OF ABETTING COUPS ATTEMPTS (INCLUDING OWNER OF EMBASSY RESIDENCE) HAVE HAD THEIR PROPERTY CONFISCATED BY GPRB. ALL LAND NOT BUILT UPON BY OCTOBER 26, 1976 WAS ALSO SUBJECT TO EXPROPRIATION, BUT WE KNOW OF NO SPECIFIC CASES IN WHICH THIS DECREE WAS ENFORCED.

9. IN QUESTIONS OF RELIGIOUS PRACTICE, GPRB HAS TAKEN ACTION
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AGAINST LOCAL CULT RELIGIONS WHICH IT CONSIDERS SUBVERSIVE. FEARING THE POWER OF FETISHERS (WHO SPECIALIZE IN POISONING THEIR ENEMIES) AND, TO A LESSER DEGREE PRIESTS AND MISSIONARIES, GPRB HAS BRANDED ALL RELIGION "MYSTIFICATION." IT HAS IMPOSED RESTRICTIONS ON TRADITIONAL RELIGIOUS CEREMONIES, BUT IT HAS NOT COMPLETELY OUTLAWED THEM. INTERIOR MINISTER AZONHIHO REPORTEDLY ALLOWED RAIN CEREMONIES RECENTLY. CHRISTIAN SECTS OCCASIONALLY HAVE RECEIVED VERBAL HARASSMENT FROM AZONHIHO, BUT CHURCHES ARE PERMITTED TO FUNCTION AND MISSIONARIES ARE ALLOWED TO DO THEIR WORK. EXCEPTION HAS BEEN JEHOVAH'S WITNESSES WHO WERE EXPELLED FROM BENIN IN APRIL 1976, LESS ON RELIGIOUS GROUNDS THAN FOR REFUSING TO ACKNOWLEDGE LEGITIMACY OF THE REVOLUTION.

10. BENIN HAS A VERY SPOTTY RECORD IN THE HUMAN RIGHTS FIELD, BUT WHETHER IT CAN BE SAID TO ENGAGE IN A "CONSISTENT PATTERN OF GROSS VIOLATIONS" IS A MATTER OF DEFINITION. GPRB'S ACTIONS HAVE USUALLY OCCURRED IN RESPONSE TO PERCEIVED THREATS TO THE GOVERNMENT. COMPARED TO REGIMES WHERE DISSIDENTS ARE MURDERED IN THE STREETS BY GOVERNMENT TROOPS, OR IN WHICH POLICE FORCES ROUTINELY TORTURE DETAINEES, BENIN APPEARS TO BE A LESSER OFFENDER. IN DECIDING HOW HARD TO PRESS ISSUE IN UPCOMING VOTES IN INTERNATIONAL FINANCIAL INSTITUTIONS, BELIEVE THAT QUESTION OF COMPARATIVE DEGREE OF VIOLATIONS, AS WELL AS SPECIFIC CORRECTIVE MEASURES WE WOULD LIKE BENIN TO TAKE SHOULD BE EXAMINED. THOMPSON

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